

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WALTER ELAM,

Plaintiff,

V.

CONCOURSE VILLAGE, INC., ANTHONY
JAMES, *individually*, and LETITIA
BOWRY, *individually*,

Defendants.

Civil Action No. 15-cv-07215 (CM)

DEFENDANTS' PROPOSED VERDICT FORM

Defendants Concourse Village, Inc. (“Concourse Village”), Anthony James (“James”) and Letitia Bowry (“Bowry,” and collectively with Concourse Village and James, “Defendants”), respectfully request that the Court consider the following proposed verdict form.

Dated: New York, New York
September 12, 2016

CLIFTON BUDD & DeMARIA, LLP
Attorneys for Defendants

By: /s/ Stefanie R. Munsky

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Claims Under the New York City Human Rights Law

3. Has Mr. Elam proved by a preponderance of the evidence that he was subjected to employment discrimination based on his association with his allegedly disabled wife in violation of the New York City Human Rights Law:

a. By Concourse Village, Inc.?

YES _____ NO _____

b. By Anthony James?

YES _____ NO _____

c. By Letitia Bowry?

YES _____ NO _____

4. Has Mr. Elam proved by a preponderance of the evidence that he was retaliated against for engaging in protected activity in violation of the New York City Human Rights Law:

d. By Concourse Village, Inc.?

YES _____ NO _____

e. By Anthony James?

YES _____ NO _____

f. By Letitia Bowry?

YES _____ NO _____

Claims Under the Family and Medical Leave Act

5. Has Mr. Elam proved by a preponderance of the evidence that his rights under the Family and Medical Leave Act were interfered with in violation of the Family and Medical Leave Act:

a. By Concourse Village, Inc.?

YES _____ NO _____

b. By Anthony James?

YES _____ NO _____

c. By Letitia Bowry?

YES _____ NO _____

6. Has Mr. Elam proved by a preponderance of the evidence that he was retaliated against for exercising his rights under the Family and Medical Leave Act in violation of the Family and Medical Leave Act:

a. By Concourse Village, Inc.?

YES _____ NO _____

b. By Anthony James?

YES _____ NO _____

c. By Letitia Bowry?

YES _____ NO _____

If you have answered “Yes” to any part of any of the questions 1-6, continue to questions 7-13. If not, please continue to the last page and sign the verdict form.

Damages

7. Has Mr. Elam proved by a preponderance of the evidence that he is entitled to compensatory damages in the form of back pay:

a. By Concourse Village, Inc.?

YES _____ NO _____

If YES, in what amount? \$_____

b. By Anthony James?

YES _____ NO _____

If YES, in what amount? \$_____

c. By Letitia Bowry?

YES _____ NO _____

If YES, in what amount? \$_____

8. Has Mr. Elam proved by a preponderance of the evidence that he is entitled to compensatory damages in the form of front pay:

a. By Concourse Village, Inc.?

YES _____ NO _____

If YES, in what amount? \$_____

b. By Anthony James?

YES _____ NO _____

If YES, in what amount? \$_____

c. By Letitia Bowry?

YES _____ NO _____

If YES, in what amount? \$_____

9. Has Mr. Elam proved by a preponderance of the evidence that he is entitled to compensatory damages in the form of damages for emotional distress, mental anguish, humiliation, embarrassment, stress and anxiety, and pain and suffering:

a. By Concourse Village, Inc.?

YES _____ NO _____

If YES, in what amount? \$_____

b. By Anthony James?

YES _____ NO _____

If YES, in what amount? \$_____

c. By Letitia Bowry?

YES _____ NO _____

If YES, in what amount? \$_____

10. Has Mr. Elam proved by a preponderance of the evidence that he is entitled to nominal damages:

a. By Concourse Village, Inc.?

YES _____ NO _____

If YES, in what amount? \$_____

b. By Anthony James?

YES _____ NO _____

If YES, in what amount? \$_____

c. By Letitia Bowry?

YES _____ NO _____

If YES, in what amount? \$_____

11. Has Mr. Elam proved by a preponderance of the evidence that he is entitled to punitive damages under the Americans With Disabilities Act:

a. By Concourse Village, Inc.?

YES _____ NO _____

12. Has Mr. Elam proved by a preponderance of the evidence that he is entitled to punitive damages under the New York City Human Rights Law:

a. By Concourse Village, Inc.?

YES _____ NO _____

If YES, in what amount? \$ _____

b. By Anthony James?

YES _____ NO _____

If YES, in what amount? \$ _____

c. By Letitia Bowry?

YES _____ NO _____

If YES, in what amount? \$ _____

13. Has Mr. Elam proved by a preponderance of the evidence that he is entitled to liquidated damages under the Family and Medical Leave Act:

a. By Concourse Village, Inc.?

YES _____ NO _____

If YES, in what amount? \$ _____

b. By Anthony James?

YES _____ NO _____

If YES, in what amount? \$ _____

c. By Letitia Bowry?

YES _____ NO _____

If YES, in what amount? \$ _____

You have completed all questions. After the jury has reached unanimous agreement on all the questions and completed the form, each juror must sign below:

_____	_____
_____	_____
_____	_____
_____	_____

Dated: _____